



CITY COUNCIL AGENDA REPORT

MEETING DATE: August 17, 2010

ITEM NUMBER: **VI-9**

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AUTHORIZING ACCEPTANCE OF A GRANT AWARD FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE "SELECTIVE TRAFFIC ENFORCEMENT PROGRAM"

DATE: JULY 6, 2010

FROM: POLICE DEPARTMENT- SUPPORT SERVICES DIVISION, TRAFFIC SAFETY BUREAU

PRESENTATION BY: Sergeant David Makiyama, Police Department, Traffic Safety Bureau

FOR FURTHER INFORMATION CONTACT: David Makiyama 714-754-4963

RECOMMENDED ACTION:

1. Adopt Resolution which authorizes the City Manager or his designee, to accept the Grant award from the California Office of Traffic Safety for the "Selective Traffic Enforcement Program" (S.T.E.P.).
2. Approve Budget Adjustment # 11-002 in the amount of \$364,000 to increase revenue and appropriation for overtime, professional development and equipment costs associated with the 2011 OTS STEP grant.

BACKGROUND:

The National Highway Transportation Safety Administration distributes federal funding to California through the Business, Transportation, and Housing Agency and the Office of Traffic Safety. Grants are used to mitigate traffic safety program deficiencies, expand on-going programs, or to develop a new program. Grant funding cannot replace existing program expenditures, nor can traffic safety funds be used for program maintenance, research, rehabilitation, or construction. The City has applied for several of these grants in the past and has received funds that have significantly assisted the objectives of the Traffic Safety Bureau and improved traffic safety in the City of Costa Mesa.

ANALYSIS:

Since 2005, the Office of Traffic Safety has awarded the Police Department four significant DUI related grants. The funds associated with these grants have been used

to purchase specialized equipment and to pay the cost of personnel working strategic objectives.

As a result of grant funded operations, the Police Department has successfully reduced key collision related data points. For example, since 2005, the total number of injury DUI traffic collisions was reduced 25%, from 63 to 47 in 2009. The number of injuries related to these DUI traffic collisions was reduced 47%, from 111 victims in 2005, to 59 victims in 2009. The number of injury collisions related to unsafe speeds was reduced 21%, from 189 in 2005, to 150 in 2009. This reduction resulted in 15% fewer victims injured.

Each year, the Office of Traffic Safety assembles collision data rankings based on city population numbers. Costa Mesa is a member of Group B (population 100,001 to 250,000) with 54 other cities. According to the 2008 rankings, Costa Mesa had low marks in alcohol, speed, and bicycle related collisions. The City ranked lowest in Group B for alcohol related collisions despite making the fifth most DUI arrests in the Group of 55 agencies. Costa Mesa also ranked lowest for speed related collisions and second lowest for bicycle involved collisions.

Along with injury collisions, impaired driving enforcement has always been a top priority for the Police Department. Since 1986, the Department has staffed a full-time impaired driving enforcement team consisting of two officers. As a supplement to the impaired driving enforcement team, the Department regularly conducts Sobriety/Driver's License checkpoints and DUI saturation patrols funded by the grant. The checkpoints are educational, highly visible, and a deterrent.

Police Department staff submitted an application and has received approval for the new grant which is offered through the California Office of Traffic Safety. The grant will allow the Police Department to implement the Selective Traffic Enforcement Program (S.T.E.P). This program will provide a comprehensive approach to reducing the violations which commonly lead to collisions, while maintaining a focus on impaired and suspended/unlicensed drivers. Grant funds will be used to staff Sobriety/Driver License checkpoints and to staff targeted enforcement shifts. In addition, funds will also be used to purchase equipment such as Preliminary Alcohol Screening flashlights (flashlights which detect the presence of alcohol from a person or in a confined space) and Lidar Units (handheld laser used to determine speed and distance). The equipment is vital to achieve the goal to reduce injury collisions and save lives.

The Police Department's current grant expires on September 30, 2010. The new S.T.E.P. grant would enable the Police Department to build upon the success achieved to date, while providing new objectives for increasing traffic safety throughout the City. The funding will allow the Police Department to combat impaired driving, and enforce aggressive driving and other traffic laws aimed at saving lives. New grant objectives include special enforcement of red light violations, excessive speed violations, motorcycle safety enforcement, seatbelt enforcement, and enforcement at high collision intersections.

Some of the specific project objectives from the grant agreement are as follows:

- To conduct Standardized Field Sobriety Testing (S.F.S.T.) training for at least ten (10) officers by March 31, 2011.
- To conduct twelve (20) DUI/DL checkpoints by September 30, 2011.
- To conduct sixteen (16) DUI saturation patrols by September 30, 2011.

- To conduct eleven (11) special enforcement operations targeting red light violations by September 30, 2011.
- To conduct eleven (11) special enforcement operations at or near intersections with a disproportionate number of traffic collisions by September 30, 2011.
- To conduct twelve (12) special enforcement operations targeting drivers exhibiting excessive speed by September 30, 2011.
- To conduct one (1) highly publicized special motorcycle safety enforcement operation in an area or during an event with a high number of motorcycle incidents or collisions resulting from unsafe speed, DUI, following too closely, unsafe lane changes, improper turning and other primary collision factor violations by motorcyclists and other drivers by September 30, 2011.
- To increase total Department-wide seatbelt citations as a percent of total hazardous or moving citations issued by 1 percentage point from 7.5% to 8.5% by September 30, 2011.
- To develop a "Hot Sheet" program to notify Patrol and Traffic Safety Bureau officers to be on the lookout for identified repeat DUI offenders with suspended or revoked licenses as a result of DUI convictions by December 31, 2010. Updated Hot Sheets will be distributed to Patrol and Traffic Safety Bureau officers every three to four weeks.
- To conduct four (4) "Court Sting" operations to cite individuals driving from court after having their license suspended or revoked by September 30, 2011.
- To increase the total Department-wide number of vehicles impounded by 2% from 1,254 to 1,279 by September 30, 2011.
- To increase the Department's enforcement index 5 points from 21.4 to 26.4 by September 30, 2011.

To receive the grant funds, the Office of Traffic Safety requires the City Council adopt a Resolution agreeing to support the grant goals in their entirety. Office of Traffic Safety grant funding is based on the federal fiscal year, which begins on October 1 and ends on September 30. The grant agreement provides funds in the amount of \$364,000 which will be utilized over a 12-month period of time (October 1, 2010 through September 30, 2011).

ALTERNATIVES CONSIDERED:

None

FISCAL REVIEW:

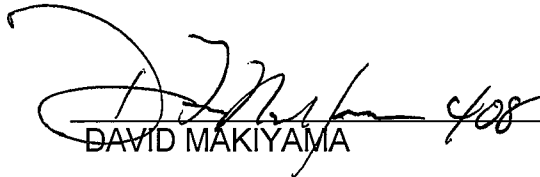
The attached budget adjustment # 11-002 increases revenue and appropriates the total expected grant of \$364,000 to the Police Department's budget for overtime, professional development and equipment costs. The grant period is from October 1, 2010 to September 30, 2011.

LEGAL REVIEW:

The City Attorney's Office has reviewed the Grant Agreement and associated documents and has approved it as to form and content.

CONCLUSION:

Based upon an analysis of the Grant Agreement and the available benefits to the City offered by the award of the grant, Department staff supports the approval of the above listed recommendation.



DAVID MAKIYAMA

Traffic Safety Bureau Sergeant



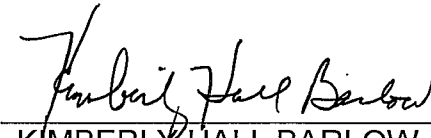
CHRISTOPHER SHAWKEY

Chief of Police



COLLEEN O'DONOGHUE

Assistant Finance Director



KIMBERLY HALL BARLOW

City Attorney

DISTRIBUTION: City Manager
City Attorney
Finance Director
City Clerk
Grant
Administrator

ATTACHMENTS: 1 Resolution of the City Council
2 Budget Adjustment # 11-002
3 Office of Traffic Safety Grant Agreement

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND ACCEPTANCE OF, A GRANT AWARD FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE "SELECTIVE TRAFFIC ENFORCEMENT PROGRAM".

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the State of California Business, Transportation & Housing Agency has made funds available through the Office of Traffic Safety for the "Selective Traffic Enforcement Program", as set forth in the Grant Agreement; and

WHEREAS, the City of Costa Mesa supports the grant goals and wishes to participate in the "Selective Traffic Enforcement Program" and

WHEREAS, the City of Costa Mesa has been awarded \$364,000.00 in California Office of Traffic Safety funds for the period of October 1, 2010 through September 30, 2011; and

NOW, THEREFORE, BE IT RESOLVED that, the City Council of Costa Mesa hereby approves the application for and acceptance of a grant from the California Office of Traffic Safety and the City Manager or his designee is hereby authorized to implement this authorization.

PASSED AND ADOPTED this 17th day of August, 2010.

Allan R. Mansoor, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Folcik, City Clerk

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. -____ and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 17th day of August, 2010, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

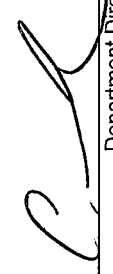
ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 17th day of August, 2010.

JULIE FOLCIK, CITY CLERK

(SEAL)

BUDGET ADJUSTMENT AUTHORIZATION

Unit CITY	Department Police	Division Support Services	Serial Number 11-002					
Type of Transaction <input checked="" type="checkbox"/> Revenue Estimate <input checked="" type="checkbox"/> Estimate Increase <input type="checkbox"/> Estimate Decrease <input checked="" type="checkbox"/> Source <input type="checkbox"/> From Existing Budget Appropriations <input checked="" type="checkbox"/> From Donations, Fees, or Grants <input type="checkbox"/> From Unappropriated Fund Balance		Reason for Request: To increase revenue and appropriations for the OTS/Selective Traffic Enforcement Program (STEP) grant, as recommended to Council at their August 17, 2010 meeting.						
Unit	Account	Name	Fund	Organization	Program	Project/Grant	Increase	Decrease
CITY	430299	Other State Grants - OTS/STEP	220	15400	71021	-	\$364,000	-
CITY	501400	Overtime	220	15400	71021	-	325,618	-
CITY	510300	Small Tools & Equipment	220	15400	71021	-	34,100	-
CITY	505500	Professional Development	220	15400	71021	-	4,282	-
-	-	-	-	-	-	-	-	-
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Department Authorization: <div> Department Director</div> <div><i>8-13-10</i> Date</div>								
Budget Verification: The above information has been reviewed, is complete and accurate, and the appropriations and/or unappropriated funds are sufficient to support the request. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
Recommendation: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval Reasons For Disapproval: Director of Finance _____ Date _____ City Manager Action: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <input type="checkbox"/> Not Required City Manager _____ Date _____ City Council Action: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <input type="checkbox"/> Not Required _____ Date _____								



State of California

OFFICE OF TRAFFIC SAFETY
GRANT AGREEMENT

GRANT NUMBER

PT1125

PAGE 1

1. GRANT TITLE

SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)

2. NAME OF APPLICANT AGENCY

CITY OF COSTA MESA

4. GRANT PERIOD

Month - Day - Year

3. AGENCY UNIT TO HANDLE GRANT

POLICE DEPARTMENT

From: 10/1/10

To: 9/30/11

5. GRANT DESCRIPTION

To reduce the persons killed and injured in crashes involving alcohol, speed, red light running, and other primary collision factors. "Best practice" strategies will be conducted on an overtime basis. The funded enforcement strategies include DUI/Driver's License checkpoints and DUI saturation patrols. This program will also develop a "Hot Sheet" program. Court "sting" operations will focus on DUI offenders with a suspended or revoked driver license who get behind the wheel after leaving court. This program will also concentrate on speed, aggressive driving and seat belt enforcement. Additionally enforcement operations will be directed to intersections with a disproportionate number of traffic crashes. These strategies are designed to earn media attention thus enhancing the overall deterrent effect.

6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED:

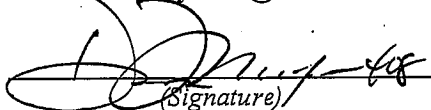
\$ 364,000.00

7. APPROVAL SIGNATURES

A. GRANT DIRECTOR

NAME: David Makiyama PHONE: (714) 754-4963
TITLE: Sergeant FAX: (714) 754-4808
ADDRESS: 99 Fair Drive
Costa Mesa, CA. 92626

E-MAIL: dmakiyama@ci.costa-mesa.ca.us

 07-30-10
(Signature) (Date)

B. AUTHORIZING OFFICIAL OF APPLICANT AGENCY

NAME: Christopher Shawkey PHONE: (714) 754-5117
TITLE: Chief of Police FAX: (714) 754-5002
ADDRESS: 99 Fair Drive
Costa Mesa, CA. 92626

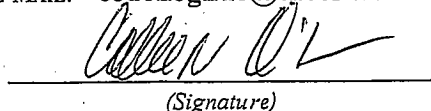
E-MAIL: cshawkey@ci.costa-mesa.ca.us

(Signature) (Date)

C. FISCAL OR ACCOUNTING OFFICIAL

NAME: Colleen O'Donoghue PHONE: (714) 754-5219
TITLE: Assistant Finance Director FAX: (714) 754-5040
ADDRESS: 77 Fair Drive
Costa Mesa, CA. 92626

E-MAIL: codonoghue@ci.costa-mesa.ca.us

 8/4/10
(Signature) (Date)

D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS

NAME: Finance Department
ADDRESS: 77 Fair Drive
Costa Mesa, CA. 92626

**GRANTS MADE EASY – STEP
Overtime
SCHEDULE A**

GRANT No: PT1125

GRANT DESCRIPTION

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GRANT TITLE: SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)

AGENCY: ~~COSTA MESA POLICE DEPARTMENT~~

PROPOSED BEGINNING DATE: 10/1/10

PROPOSED ENDING DATE: 9/30/11

PROBLEM STATEMENT:

Using local data (not OTS Rankings or SWITRS) complete the table below.

Collision Type	2006				2007				2008			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	3		3		10		12		3		4	
Injury	651		896		678		910		641		846	
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol Involved	0	64	0	111	5	68	7	92	0	63	0	97
Hit & Run	0	76	0	98	1	38	1	46	0	50	0	56
Nighttime (2100-0259 hours)	1	96	1	148	2	79	2	116	0	86	0	116

Please provide detailed answers to the following questions as part of the Problem Statement:

- How many sobriety checkpoints did your department conduct between October 1, 2008 and September 30, 2009? (Include checkpoints from all funding sources, i.e. OTS grants or mini-grants, and department funded)

OTS Grant #: AL0923; # of Checkpoints: 16 (Not AVOID)

AVOID the _____; # of Checkpoints: _____ (In your jurisdiction)

Mini-Grant #: _____; # of Checkpoints: _____

of Department Funded Checkpoints: _____ (Not OTS Funded)

Additional Information:

- What is the average number of DUI arrests and vehicles impounded per checkpoint?

As a result of our DUI checkpoints, we arrested an average of 2 drivers and towed an average of 8 vehicles per operation.

- Does your agency participate in an AVOID DUI program? Yes

- AVOID the 28 DUI Campaign in Orange County

- What percent of your total DUI arrests between October 1, 2008 and September 30, 2009 were made as a result of a collision?

In FFY 2009, 18.4% of our DUI arrests were a result of collisions. We made 936 arrests for DUI with 172 involving collisions.

**GRANTS MADE EASY – STEP
Overtime
SCHEDULE A**

GRANT NO: PT1125

GRANT DESCRIPTION

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5. What percent of your total fatal and injury collisions between October 1, 2008 and September 30, 2009 occurred at intersections?

In FFY 2009, neither of our 2 fatal collisions occurred at an intersection. With regard to injury collisions, 239 out of 660, or 36.2% occurred at intersections.

6. Describe the problem caused by red light running in your city.

In compiling a list of our primary collision factors, red light running was fifth on the list of known causes. In FFY 2009, 161 collisions out of 2,004 (8%) were caused by red light violations. On occasions when red light violations result in collisions, severity can be significantly greater. In addition, we use a red light camera enforcement system. The system monitors 17 lane approaches at 4 intersections. In 2009, the system captured over 12,000 citable red light violations.

7. What are your primary collision factors?

During FFY 2009, officers were unable to determine the cause of 21% of our collisions. Speed was identified as the primary collision factor in 20%, right of way violations were responsible for 13%, improper turning movements for 12%, DUI for 9%, traffic signs or signal violations for 8%, unsafe starting or backing for 5%, unsafe lane change for 5%, wrong side of road violations for 3%, and pedestrian violations for 1%. It should be noted that several of the collisions where the primary collision factors were unknown, were late reported and all parties were not contacted.

8. Seat belt citations make up what percent of all hazardous citations issued?

In FFY 2009, 11.8% of all hazardous citations were for seatbelt violations. In that time frame, 14,166 hazardous citations were issued and 1,676 were for seat belt violations.

9. What is your current administrative recovery fee for vehicles impounded for up to 30 days and how much of the fee goes to the General Fund vs. a special Traffic Offender Impound Account? How is it used?

Our current administrative recovery fee for vehicle impounds is \$200.00. A total of 100% of these funds goes to an existing Vehicle (Traffic) Offender Fund.

GRANTS MADE EASY – STEP
Overtime
SCHEDULE A

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GRANT DESCRIPTION

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PERFORMANCE MEASURES:

Goals: Goals serve as the foundation upon which the grant is built. Goals are what you hope to accomplish by implementing a traffic safety grant program.

1. To reduce the number of persons killed in traffic collisions.
2. To reduce the number of persons injured in traffic collisions.
3. To reduce the number of persons killed in alcohol-involved collisions.
4. To reduce the number of persons injured in alcohol-involved collisions.
5. To reduce the number of motorcyclists killed in traffic collisions.
6. To reduce the number of motorcyclists injured in traffic.
7. To reduce the number of motorcyclists killed in alcohol-involved collisions.
8. To reduce the number of motorcyclists injured in alcohol-involved collisions.
9. To reduce hit & run fatal collisions.
10. To reduce hit & run injury collisions.
11. To reduce nighttime (2100 - 0259 hours) fatal collisions.
12. To reduce nighttime (2100 - 0259 hours) injury collisions.
13. To reduce fatal collisions at intersections.
14. To reduce injury collisions at intersections.
15. To reduce fatal collisions involving red light runners.
16. To reduce injury collisions involving red light runners.
17. To reduce fatal collisions where unsafe speed was the primary collision factor.
18. To reduce injury collisions where unsafe speed was the primary collision factor.
19. To increase seat belt use.

GRANTS MADE EASY – STEP

Overtime

SCHEDULE A

GRANT NO: PT1125

GRANT DESCRIPTION

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Objectives: Objectives are the tasks or activities undertaken during the grant period to make the goals a reality. Objectives are designed to move you closer to achieving your overall goals. *Objectives are used to measure a grantee's success.*

1. To issue a press release announcing the kick-off of the grant by November 15, 2010. The press releases and media advisories, alerts, and materials must be forwarded to the OTS Public Information Officer at pio@ots.ca.gov and copy the OTS Coordinator for approval 14 days prior to the issuance date of the release.
2. To use the following standard language in all press, media, and printed materials: "Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration."
3. To email a draft of all grant-related media releases, media advisories, alerts and materials to the OTS Public Information Officer at pio@ots.ca.gov and copied to your OTS Coordinator for approval 14-days prior to the issuance date of the release (media communications reporting the results of grant activities such as checkpoints and saturation patrols are exempt from this requirement).
4. To submit applications for the California Law Enforcement Challenge (<http://www.chp.ca.gov/features/clec.html>) by the deadlines of March 25, 2011, to CHP and a copy to OTS:

California Law Enforcement Challenge
601 North 7th Street
Sacramento, CA 95811
Gate C
Attention: Special Projects Section (063)

California Office of Traffic Safety
2208 Kausen Dr. Suite 300
Elk Grove, CA 95758
Attention: Regional Coordinator

5. To collaborate with the county's "Avoid Coalition" by participating in all planning, scheduling meetings, MADD/Avoid DUI Seminars, providing your County Avoid Coordinator (Host) with your agency's schedule of operations that occur during any Avoid operational campaign period and finally report daily, during holiday Avoid efforts, to the county Avoid Coordinator all agency DUI arrests & DUI Fatality information for the Avoid media campaign.

GRANTS MADE EASY – STEP
Overtime
SCHEDULE A

GRANT NO: PT1125

GRANT DESCRIPTION

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6. To conduct pre and post seat belt usage surveys during the months of October (start of the grant) and September (end of the grant) of each grant year (A pre-survey will be required to determine the base year seat belt use rate and a post-survey will be required to determine the operational rate).

Note: Go to <http://www.ots.ca.gov/Grants/files/doc/seatbelt/belt.doc> for survey methodology and forms).

7. To conduct Standardized Field Sobriety Testing (SFST) training for 10 officers by March 31, 2011.

Note: At least one sworn officer who has received NHTSA-certified SFST training should participate in each DUI checkpoint conducted under this grant.

8. To conduct 20 DUI/DL checkpoints by September 30, 2011.

Note: For combination DUI/DL checkpoints, departments must issue press releases that mention DL's will be checked at the DUI/DL checkpoint. Also, according to the Attorney General's Office all DUI/DL checkpoint operations must have signs reading "DUI/Driver's License Checkpoint Ahead."

To maximize effectiveness, it may be necessary to conduct a checkpoint operation at more than one location on any given day/ night. Each checkpoint should be highly publicized and visible. No occupant restraint citations will be issued at the checkpoints. **OTS does not fund or support independent DL checkpoints. Only on an exception basis and with OTS pre-approval, will OTS fund checkpoint operations that begin prior to 1800 hours.**

9. To conduct 16 DUI saturation patrols by September 30, 2011.

10. To conduct 11 special enforcement operations targeting red light running enforcement by September 30, 2011.

11. To conduct 11 special enforcement operations at or near intersections with a disproportionate number of traffic collisions by September 30, 2011.

12. To conduct 12 special enforcement operations targeting drivers exhibiting excessive speed by September 30, 2011.

13. To conduct 1 highly publicized "Special Motorcycle Safety Enforcement Operation(s)" in areas or during events with a high number of motorcycle incidents or collisions resulting from unsafe speed, DUI, following too closely, unsafe lane changes, improper turning and other primary collision factor violations by motorcyclists and other drivers by September 30, 2011.

GRANTS MADE EASY – STEP

Overtime

SCHEDULE A

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GRANT DESCRIPTION

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14. To issue a press release prior to each motorcycle safety enforcement operation to raise awareness about motorcycle safety in general and to draw attention to the motorcycle safety enforcement operations. The ~~press releases and media advisories, alerts, and materials must be forwarded to the Office of Traffic Safety (OTS) Public Information Officer at pio@ots.ca.gov and copied to your OTS Coordinator for approval 14-days prior to the issuance date of the release.~~

15. To increase total department-wide seat belt citations as a percent of total hazardous or moving citations issued by 1 percentage points from the FFY 2009 base year rate (October 1, 2008 – September 30, 2009) of 7.5 % to 8.5 % by September 30, 2011.

Note: To calculate your current seat belt citations as a percent of total hazardous citations, simply divide seat belt citations by total hazardous or moving citations.

16. To develop a “Hot Sheet” program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions by December 31, 2010. Updated Hot Sheets will be distributed to patrol and traffic officers every three to four weeks.

17. To conduct 4 “Court Sting” operations to cite individuals driving from court after having their license suspended or revoked by September 30, 2011.

18. To increase the total department-wide number of vehicles impounded by 2 % from the FFY 2009 base year total (October 1, 2008 – September 30, 2009) of 1,254 to 1,279 by September 30, 2011.

Note: Vehicle Impounds are impounds as a result of suspended/revoked (CVC 14601) and unlicensed (CVC 12500) citations.

19. To increase the Department’s enforcement index 5 points from the FFY 2009 base year rate (October 1, 2008 – September 30, 2009) of 21.4 to 26.4 by September 30, 2011.

Note: To determine your department’s appropriate hazardous citation level analyze your traffic enforcement index (total hazardous citations divided by fatal and injury collisions). Northwestern University teaches that a minimum traffic enforcement index of 25 is required to reach the citation threshold of effectiveness in reducing traffic collisions. If your city has a large number of out-of-town drivers, a traffic enforcement index in the 25-35 range may be more desirable. Out-of-town drivers are generally not reached through education and voluntary compliance programs. The recommended traffic enforcement index is a guide and not necessarily a rule.

NOTE: *Nothing in this “agreement” shall be interpreted as a requirement, formal or informal, that a particular police officer issue a specified or predetermined number of citations in pursuance of the goals and objectives hereunder.*

**GRANTS MADE EASY – STEP
Overtime
SCHEDULE A**

GRANT No: PT1125

GRANT DESCRIPTION

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METHOD OF PROCEDURE:

Phase I: Program Preparation, Training, and Implementation (October 1, 2010 – December 31, 2010)

- The police department will develop operational plans to implement the “best practice” strategies outlined in the objectives section.
- A draft news release will be submitted to OTS to announce the grant program.
- If necessary, an ordinance or resolution will be submitted to allow for the establishment of the “Vehicle Impound Program” administrative tow fee.
- All training needed to implement the program will be conducted this quarter.
- All grant related purchases needed to implement the program will be made this quarter.
- In order to develop the “Hot Sheets”, research will be conducted to identify the “worst of the worst” repeat DUI offenders with a suspended or revoked license as a result of a DUI conviction. The Hot Sheets may include the driver’s name, last known address, DOB, description, current license status, and the number of times suspended or revoked for DUI. Hot Sheets will be updated and distributed to traffic and patrol officers every three to four weeks.
- The police department will meet with appropriate court personnel to help develop an operational plan to conduct court stings.
- Implementation of the STEP program will be accomplished by deploying on an overtime basis personnel at high collision locations. DUI/Driver’s License checkpoint site locations will have a history of significant alcohol involved collisions and/or DUI arrests.

Phase II: Community Awareness (Throughout Grant Period)

- The police department will work to create media opportunities throughout the grant period to call attention to the innovative program strategies and outcomes.

Phase III: Data Gathering and Analysis (Throughout Grant Period)

- The police department will submit a Quarterly Performance Report (QPR) and Quarterly Evaluation Data Form, Schedule C, within 30 days following each calendar quarter.
- The final QPR, Schedule C, Claim and Executive Summary are due to OTS by October 30, 2011.
- Reports shall be completed in accordance with OTS requirements specified in the Grant Program Manual, Chapter 7, and submitted in compliance with the signed Acceptance of Conditions and Certifications (OTS-33) included within this agreement.

**GRANTS MADE EASY – STEP
Overtime
SCHEDULE A**

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METHOD OF EVALUATION:

The Office of Traffic Safety will use the QPR data to determine whether the grant was successful. OTS will also select grants for monitoring reviews to ensure the accuracy of claimed costs. For example, OTS will review claimed costs to ensure they are supported by time sheets, vouchers, invoices, purchases, etc.

ADMINISTRATIVE SUPPORT:

This program has full support of the City of Costa Mesa, and every effort will be made to continue the activities after the grant conclusion. The Costa Mesa City Council has endorsed this grant by resolution.

GRANTS MADE EASY - STEP
Overtime
SCHEDULE B - PAGE 1
DETAILED BUDGET ESTIMATE

GRANT NO. PT1125

COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	FFY - 1 10/1/2010 Thru 9/30/2011			
A. PERSONNEL COSTS				
<u>Overtime</u>				
DUI/DL Checkpoints	\$180,000.00			\$180,000.00
DUI Saturation Patrols	43,000.00			43,000.00
Special Enforcement Operations	91,618.00			91,618.00
Court Stings	11,000.00			11,000.00
Category Sub-Total	\$325,618.00			\$325,618.00
B. TRAVEL EXPENSE				
In State	\$4,282.00			\$4,282.00
Category Sub-Total	\$4,282.00			\$4,282.00
C. CONTRACTUAL SERVICES				
None	\$0.00			\$0.00
Category Sub-Total	\$0.00			\$0.00

GRANTS MADE EASY - STEP
Overtime
SCHEDULE B - PAGE 2
DETAILED BUDGET ESTIMATE

GRANT NO. PT1125

COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	FFY - 1 10/1/2010 Thru 9/30/2011			
D. EQUIPMENT				
None	\$0.00			\$0.00
Category Sub-Total	\$0.00			\$0.00
E. OTHER DIRECT COSTS				
Lidar Devices	\$30,000.00			\$30,000.00
PAS Flashlights	\$3,600.00			3,600.00
Printing/Duplication	\$500.00			500.00
Category Sub-Total	\$34,100.00			\$34,100.00
F. INDIRECT COSTS				
NONE	\$0.00			\$0.00
Category Sub-Total	\$0.00			\$0.00
GRANT TOTAL	\$364,000.00			\$364,000.00

APPLICANT AGENCY CITY OF COSTA MESA	OTS GRANT NUMBER PT1125
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The following attachments are included herein and constitute a part of this Grant Agreement:

1. OTS-38 – Page 1	5. Schedule C – Quarterly Evaluation Data (when required)
2. Schedule A – Grant Description	6. OTS-33 – Acceptance of Conditions and Certifications
3. Schedule B – Detailed Budget Estimate for Grant Costs	7. General Terms, Conditions, and Certifications (OTS Grant Program Manual (GPM), Exhibit 6A. GPM available on-line at www.ots.ca.gov)
4. Schedule B-1 – Budget Narrative	

TERMS AND CONDITIONS

It is understood and agreed by the Grantee that grant funds received as a result of this Agreement are subject to all applicable federal and state regulations governing grants and to the following applicable controls, terms and consideration expressed in the OTS Grant Program Manual which includes but is not limited to:

REPORTS/ CLAIMS FOR REIMBURSEMENT

1. Quarterly Performance Reports and Reimbursement Claims must be submitted by the Grantee to the Office of Traffic Safety (OTS) by January 30, April 30, July 30, and October 30, during each year of grant operation. The failure to timely submit complete and correct claims within sixty (60) days of their due dates may constitute Grantees irrevocable waiver of any right to thereafter recover from Grantor any part of those waived grant sums which may thereafter be reallocated or reverted by Grantor.
2. OTS will withhold or disallow grant payments, reduce or terminate grant funds, and/or deny future grant funding anytime a Grantee fails to comply with any applicable term or condition of this Grant Agreement or program guidelines (**GPM, Chapter 3.11**). This may include, but is not limited to, the following:
 - Failure to submit acceptable and timely reimbursements claims;
 - Failure to submit acceptable and timely quarterly performance reports;
 - Failure to submit an acceptable and timely Schedule C, Quarterly Evaluation Data (OTS-38g, applies only when a Schedule C has been required);
 - Failure to comply with requirement of the Single Audit Act (**GPM, Chapter 4.11**); and
3. By October 30, “continuing” grants must submit a September 30 claim and a written justification to support carrying forward the remaining grant year unexpended funds. September 30 claims and written justifications, supporting the carrying forward of these prior year unexpended funds submitted after November 30 may not be processed and the prior claim (i.e., June 30) will be considered the year-end claim in order to close out the federal fiscal year ending September 30. In addition, these unexpended funds will be de-obligated and allocated to new grants.

SUB-CONTRACTS

Grantee may enter into subcontract(s) to perform applicable provisions of this Grant Agreement. The Grantee is responsible for ensuring that all activities delegated to subcontractors are in support of this Grant Agreement.

A. Grantee is the responsible party and shall remain liable for the performance of the terms, conditions, assurances, and certifications of this Grant Agreement, without recourse to the State, regarding the settlement and satisfaction of all contractual and administrative issues arising out of subcontract agreement(s) entered into in support of this Grant Agreement, including disputes, claims, or other matters of a contractual nature as well as civil liability arising out of negligence or intentional misconduct of the subcontractor(s).

B. Nothing contained in this Grant Agreement shall create any contractual relation between the State and any subcontractors, and no subcontract shall relieve the Grantee of its responsibilities and obligations hereunder. Grantee agrees to be as fully responsible to the State for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Grantee. The Grantee's obligation to pay its subcontractors is an independent obligation from the State's obligation to make payments to the Grantee. As a result, the State shall have no obligation to pay or to enforce the payment of any moneys to any subcontractor.

4. Consultants and/or sub-contractors shall be selected in accordance with the grantee agency procurement policies and procedures in order to comply with the terms of this agreement and in accordance with OTS GPM Chapter 6 Procurement & Contract Administration and Exhibit 6-A General Terms, Conditions, and Certifications.

The Grantee, consultant, contractor and/or sub-contractor are subject to all applicable terms and conditions and are bound by the applicable certifications of the Grant Agreement and 49 CFR Part 18, and/or CFR Part 19 whichever is applicable.

Grantor is not obligated to make any payment under any agreement prior to final execution or outside the terms of the sub-contract period. Contractor/Grantee Agency expenditures incurred prior to final sub-contract execution are taken at the risk of that Contractor/Grantee Agency and will be considered unallowable if that agreement/sub-contract is not executed.

AVAILABILITY OF FUNDS

5. If, during the term of the Grant award, federal funds become reduced or eliminated, OTS may immediately terminate or reduce the Grant award sum for allowable and uncancelable grant costs incurred following receipt of Grantor's written notice to the Grantee.
6. Funds Awarded under Catalog of Federal Domestic Assistance (CFDA) Number 20.600.

REVISIONS

7. Grant Agreement revisions are allowed in accordance with the guidelines detailed in the OTS GPM,

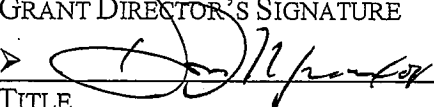

Chapter 3.9 and conforming to the revision examples provided in Chapter 3.8. All appropriate documentation required to request a grant revision requiring Grantor's approval (i.e. budget category increases, etc.) must be timely submitted to Grantor.

8. No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement not incorporated herein shall be binding on any of the parties hereto.
9. Those additional applicable terms and conditions identified in the OTS GPM, Chapter 6, General Terms, Conditions, and Certifications (Exhibit 6-A), are incorporated herein by reference and made a part of this Agreement.

TRAFFIC ENFORCEMENT AGENCIES ONLY:

10. Full time Grantee traffic enforcement personnel and any equipment funded under this Grant shall be dedicated solely to Grant supported enforcement tasks unless a criminal offense is committed in the officer's presence and response to an officer in distress is initiated, and a riot requires that all available enforcement personnel be committed in response.
11. By signing this document the Grantee certifies that it is not suspended or debarred from doing business with the Federal Government.

We, the officials named below, hereby swear that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions. Executed on the date and in the county named below and made under penalty of perjury under the laws of the State of California.

GRANT DIRECTOR'S NAME	EXECUTED IN THE COUNTY OF
David Makiyama	Orange
GRANT DIRECTOR'S SIGNATURE	DATE EXECUTED
	07-30-10
TITLE	
Sergeant	
AUTHORIZING OFFICIAL'S NAME	EXECUTED IN THE COUNTY OF
Christopher Shawkey	Orange
AUTHORIZING OFFICIAL'S SIGNATURE	DATE EXECUTED
	8-13-10
TITLE	
Chief of Police	

APPROVED AS TO FORM


CITY ATTORNEY